

Mayor
Rita Dotson

City Clerk
Michele Edwards

City Treasurer
Bethany Cooper

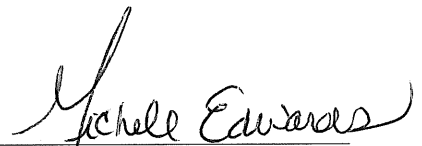
City Attorney
Martin Johnson

Police Chief
Tracy Watwood

Resolution to the City of Benton Number 15-07-01

I certify I am the duly qualified City Clerk of the City of Benton, Kentucky, and the following pages of the Resolution Number: 15-07-01 is a true, correct and complete copy, duly adopted by the City Council at a convened meeting held on July 20, 2015, all as appears in the official records of the said City of Benton, Kentucky.

WITNESS, my hand and the Seal of the City of Benton, this the 18 day
of August, 2015.


Michele Edwards
Benton City Clerk

S E A L

RECEIVED AND FILED
DATE Sept 9, 2015

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Adkins

RESOLUTION

No. 15-07-01

**A RESOLUTION CORRECTING AN ORIGINAL KRS 81.045
FILING AND ADOPTING A MODERN LEGAL DESCRIPTION
OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE**

WHEREAS, the City of Benton, Kentucky (hereafter the "City"), on July 16, 1981, submitted a boundary statement and other information in compliance with KRS 81.045; and

WHEREAS, an area annexed July 20, 1976 was not included in the KRS 81.045 boundary statement inasmuch as the map submitted was prepared in 1976 and the City failed to make a correction to the map to include the hereinabove referenced ordinance when the KRS 81.045 filing was submitted to the Secretary of State's Office in 1981; and

WHEREAS, the Ordinance dated July 20, 1976 was not overturned by the court in Civil Action No. 3546 or in an election process; and

WHEREAS, the City further wishes to provide a modern legal description and annexation plat for the purposes of showing the location of the July 20, 1976 annexation, same having been prepared by a professional land surveyor for the purposes stated therein; and

WHEREAS, the City wishes to correct its KRS 81.045 filing and comply with the requirements of Amended KRS 81A.470; and

WHEREAS, with respect to the Ordinance dated July 20, 1976, the City does not intend to replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed; and

WHEREAS, the City wishes to add the modern legal description of the territory previously annexed to its KRS 81.045 filing, thereby correcting same,

NOW, THEREFORE, be it resolved by the City of Benton, Kentucky (the "City") as follows:

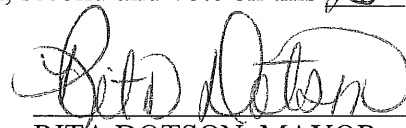
1. The City adopts the following legal description and plat attached hereto as prepared by A. Clay Robinson, Licensed Professional Land Surveyor No. 3219 for the purposes stated therein, as a modern description of the property previously annexed into the corporate city limits of the City by Ordinance dated July 20, 1976, a certified copy of which is attached hereto as Exhibit C, and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

2. The new legal description as prepared by A. Clay Robinson, Licensed Professional Land Surveyor No. 3219 for the purposes stated therein, is as follows:

See attached Exhibit A for said Legal Description.
See attached Exhibit B for said Annexation Plat.


3. This resolution and the attached documents shall be filed with the Office of the Secretary of State to correct the City's KRS 81.045 filing.

Adopted unanimously upon proper motion, second and vote on this 20th July, 2015.



RITA DOTSON, MAYOR
CITY OF BENTON, KENTUCKY

ATTEST:



MICHELE EDWARDS, CLERK
CITY OF BENTON, KENTUCKY

**Annexation to the City of Benton, Marshall County, Kentucky
Of July 20, 1976**

Tract 1

**West Oaks Subdivision, Civil Court Action No. 3546
2015 Resolution Description**

A parcel of land, a portion of which is known as West Oaks Subdivision, lying on the south side of the Julian M. Carroll Parkway, north of Kentucky Highway 58, as shown on the plat of record in Slide 285 of the records of the Marshall County Court Clerk, and being more particularly described as follows:

Beginning at a point in the east line of Lot 29 of the West Oaks Subdivision, also the west line of Lot 107 of the Kyabram Subdivision, said point being located 500 feet north of the centerline of Kentucky Highway 58 as per Ordinance dated May 4, 1964, said point being the same as the point of beginning of Annexation by Ordinance date July 17, 1989 Tract 2, said point having Kentucky State Plane South Zone coordinates of North 1,838,504.9 and East 873,760.7;

Thence, from the point of beginning, along the existing city limits, a line 500 feet parallel to the centerline of Kentucky Highway 58, South 68° 06' 32" West a total distance of 774.32 feet to a point:

Thence, with the said existing city limits, along a curve to the left having a radius of 3000.00 feet, a chord of 575.38 feet on a bearing of South 62° 56' 17" West to a point in the west boundary of West Oak Subdivision;

Thence, leaving the existing city limits, along the west line of West Oak Subdivision, North 2° 00' 04" East a distance of 1052.81 feet a point the southern right of way line of the Julian M. Carroll Parkway (formerly known as the Jackson Purchase Parkway);

Thence, with the said right of way, along a curve to the left having a radius of 4583.66 feet, a chord of 1627.84 feet on a bearing of North 50° 04' 14" East to a point in the east boundary of West Oak Subdivision and the west boundary of Kyabram Subdivision and the existing city limits;

Thence, along the said existing city limits, with the west line of the Kyabram Subdivision, South 2° 00' 22" West a total distance of 1547.47 feet to the point of beginning.

The above described parcel contains 33.742 acres more or less.

As shown on a plat labeled "Resolution Plat Depicting Original Ordinance Dated July 20, 1976, Tract 1" as prepared by Shawnee Professional Services dated June 22, 2015.

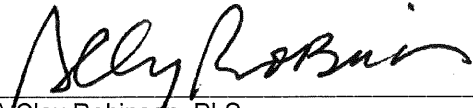
All bearings and coordinates referred to in this description are based on the Kentucky State Plane South Zone coordinate system as derived from GPS observations performed on July 17, 2015.

(continued)

Note: the purpose of this description is to provide information for the annexation of the 33.742 acres described to the City of Benton, Kentucky. This description or plat does not represent a boundary survey and is not intended for land transfer or to establish ownership lines or a property boundary.

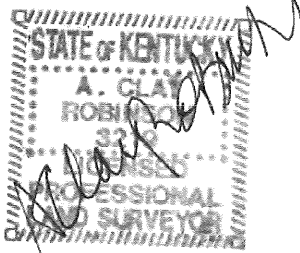
Prepared by and in accordance with a partial survey performed under the supervision of:

A. Clay Robinson
Ky. Licensed Prof. Surveyor 3219
Shawnee Professional Services
401 Washington Street
Paducah, Ky. 42001


A Clay Robinson, PLS

6-22-15

Date



STAMP

Case 1 July 20 1976 West Oaks.doc
A Clay Robinson
June 25, 2015

OVERSIZE MAP &
ADDITIONAL DOCUMENTS
INCLUDED WITH SUBMISSION.

To research the filing, contact the
Office of Secretary of State.